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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 28 2002

In re Application of: Gately et al.

Application No.: 09/401,839

Group Art Unit: 1646

TECH CENTER 1600/2900

Filed: September 22, 1999

Examiner: P. Mertz

For: PURIFICATION AND CHARACTERIZATION OF CYTOTOXIC LYMPHOCYTE MATURATION FACTOR AND MONOCLONAL ANTIBODIES THERETO Attorney Docket No.: 1803-247

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

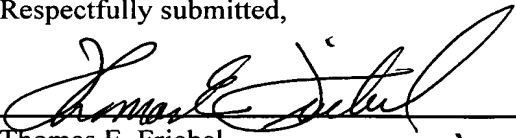
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated February 22, 2002 of the Primary Examiner finally rejecting claims 33-38 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for month(s):  
☐ was filed on  
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$320.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$160.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date August 22, 2002

  
Thomas E. Friebe 29,258  
(Reg. No.)

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PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090